

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Parts 1, 2, 22, 24, 27, 90)	WT Dkt. No. 10-4
and 95 of the Commission's Rules to)	
Improve Wireless Coverage Through)	
the Use of Signal Boosters)	

**REPLY COMMENTS
OF PORSCHE CARS NORTH AMERICA, INC.**

Porsche Cars North America, Inc. ("PCNA"), by its undersigned counsel, respectfully submits these Reply Comments in response to the comments filed by interested parties to the Second Further Notice of Proposed Rulemaking, FCC 18-35, issued by the Federal Communications Commission ("Commission") on March 23, 2018 ("Second FNPRM").

PCNA, based in Atlanta, Georgia, is the exclusive importer of Porsche vehicles for the United States. Established in 1984, it is an indirect wholly-owned subsidiary of Porsche AG, which is headquartered in Stuttgart, Germany. PCNA employs approximately 300 people in the United States who provide Porsche vehicles, parts, service, marketing and training for its approximately 200 dealers. PCNA offers customers, as an option or as standard equipment, an installed consumer signal booster called the Porsche Phone Box ("Phone Box").¹ The purpose of the Phone Box is to improve cellular connectivity for customers while travelling in their cars. PCNA is not the manufacturer of the Phone Box. Rather, it installs FCC approved and certified signal booster equipment into Porsche vehicles.

¹ PCNA received a conditional waiver from the FCC of Section 20.21(f) of the Commission's Rules, regarding labeling, as applied to the Porsche Phone Box. See Letter of Roger S. Noel, Chief Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, to William K. Coulter, Counsel to PCNA, dated Aug. 17, 2017.

I. CURRENT FCC REGISTRATION REQUIREMENTS FOR BOOSTERS
INSTALLED BY NEW CAR MANUFACTURERS, DISTRIBUTORS AND
DEALERS ARE WORKING WELL IN THE PUBLIC INTEREST

At the outset, PCNA supports the introductory comments of CTIA stating that the Commission's rules governing the deployment and use of Consumer Signal Boosters "...have been successful largely due to the measured rollout of these products and the established framework designed to allow consumers to use and register these products without causing harmful interference to wireless networks..."²; of Verizon stating that "...as the Commission observes, record evidence indicates that these rules have functioned well to facilitate consumer use of boosters while eliminating the interference problems associated with boosters prior to adoption of the rules..."³ and of AT&T stating that "... it is committed to working with the Commission and stakeholders to promote an environment where consumers and enterprises can operate properly-designed and installed signal boosters in a manner that does not cause interference."⁴ Based on this record of evidence, and on its own experience with "properly-designed and properly-installed embedded signal boosters," PCNA does not believe that additional regulation of new car manufacturers, distributors and dealers (i.e., with regulation beyond that currently applied by the FCC through its existing rules and by conditional waivers) would benefit the public interest. Rather, it would discourage registrations, burden manufacturers, distributors and dealers, and reduce consumer booster options, with no countervailing benefits in reduction of harmful interference.

² CTIA Comments to Second FNPRM at p. 2.

³ Verizon Comments to Second FNPRM at p. 2.

⁴ AT&T Comments to Second FNPRM at p. 2.

II. REQUIRING NEW CAR MANUFACTURERS, DISTRIBUTORS AND DEALERS TO REGISTER SIGNAL BOOSTERS ON BEHALF OF USERS WOULD BE CONTRARY TO THE PUBLIC INTEREST

PCNA does not believe that “vehicle manufacturers, distributors and retailers should be responsible for registering embedded Consumer Signal Boosters” as proposed by AT&T and CTIA.⁵ PCNA believes that there is no evidence that this would further the public interest by increasing registration or preventing interference. Indeed, experience would indicate that, for new car manufacturers, this not only would be counter-productive but also would impose a burdensome and impossible obligation on a non-user or non-provider. PCNA is not the manufacturer or the operator of the embedded signal booster equipment. It is only the installer of FCC certified equipment into a vehicle which is later sold to a customer. PCNA, with other new car manufacturers and distributors, does not install non-certified or non-compliant equipment. Further, once a customer has purchased a vehicle, PCNA has no way of knowing whether the embedded booster will be used, where the embedded booster will be used (i.e., if the customer moves to a new location), who the responsible user is, if the user has changed its contact information, and who the mobile wireless service provider is or will be. Only the user of the equipment can provide accurate information regarding the signal booster on an immediate and going-forward basis. Thus, only the user can be responsible for registration. Moreover, any registration done by PCNA would be based on second-hand consumer-provided information and could only cover the first purchaser of the vehicle and not any secondary purchasers of the vehicle. While AT&T notes its significant efforts to identify interfering and unregistered signal

⁵ CTIA Comments to Second FNPRM at p. 6; AT&T Comments to Second FNPRM at p.6.

boosters, based on the comments filed in the proceeding and on PCNA experience, there is no suggestion that this interference is from a new vehicle, manufacturer installed, certified signal booster or that there is any failure by users to register signal boosters installed in new vehicles.⁷ Any further requirements on new car manufacturers, distributors and dealers regarding user registration should be preceded by service provider-presented evidence that it is necessary and productive.

III. IMPOSING MORE NEW LABELING, STICKER AND PUBLICATION OBLIGATIONS ON CAR MANUFACTURERS, DISTRIBUTORS AND DEALERS FOR EMBEDDED SIGNAL BOOSTERS IN NEW VEHICLES WOULD BE CONTRARY TO THE PUBLIC INTEREST

PCNA does not support Verizon's suggestion that the Commission require a label with the information required by Section 20.21(f) (1) and by conditional waivers be permanently and conspicuously attached to a new vehicle itself.⁸ PCNA currently provides the notices related to Section 20.21(f) and conditional waivers dominantly in point of sale materials and in the vehicle's operating manual. This provides sufficient, and redundant, notice to customers of the FCC requirements related to use of the signal booster. All current evidence would indicate that this notice is more than sufficient to put customers on notice.

In addition, PCNA questions whether requiring additional consumer data disclosure, such as license plate numbers, is necessary. Further, many consumers consider name with license plate number as private. We believe that greater registration can only be accomplished by reducing the required disclosures, not increasing them, and by easing the burdens of registering to consumers.

⁷ AT&T Comments to Second FNPRM at p. 2.

⁸ Verizon Comments to Second FNPRM at p. 7.

Further, PCNA does not support the creation of a “stakeholder portal”, similar to that adopted by Sirius XM, and as proposed by AT&T.⁹ The Sirius XM Automotive Dealer Portal serves an entirely different purpose. That purpose is the marketing to vehicle purchasers of Sirius XM services. The portal does not exist for registration of FCC regulated user equipment purposes. And, the booster is not a subscription “service”. Even if dealers entered signal booster registration information for the first purchaser of the vehicle in such a portal, such information would not be automatically updated in the event of changes in the user’s circumstances. As such, this suggested portal would not improve user compliance with registration requirements, and would create an additional burden on car manufacturers and distributors with no added public benefit.

IV. THE USE OF VIN NUMBERS, IN LIEU OF SERIAL NUMBERS, COULD BE MORE CONSUMER FRIENDLY AND PROVIDE GREATER IDENTIFICATION, AND THUS SERVE THE PUBLIC INTEREST

PCNA supports replacing the signal booster equipment serial number with the VIN for all new vehicle embedded signal booster registrations. The VIN number is easily identifiable for registration purposes. It is readily available to primary and secondary purchasers. It provides greater identification for mobile service-providers and it reduces administrative serial number tracking burdens on manufacturers. This change in registration information would make registration easier and thus increase the likelihood of user compliance.

⁹ AT&T Comments to Second FNPRM at p. 6.

V. ANY REGULATIONS ON NEW CAR MANUFACTURING, DISTRIBUTORS AND DEALERS MUST RECOGNIZE THE MANUFACTURING CYCLE

PCNA supports the comments filed by Volkswagen Group of America, Inc.

(“VWGoA”).¹⁰ Specifically, PCNA objects to any Commission rule changes which would affect the design and manufacturing process in order to disable signal boosters.¹¹ The Commission should allow dealers (or manufacturers) maximum flexibility for addressing this issue. Further, PCNA supports VWGoA’s position that vehicle manufacturers and dealers should have at least 18 months to implement adding any new consumer warning language to existing point of sale materials and owner manuals.¹² Where changes must be made to the design and manufacturing of the signal boosters, PCNA would also support a 3 year lead time for implementation. Lastly, as explained by VWGoA, the Commission should be wary of adopting burdensome requirements related to signal boosters.¹³ Basically, if Commission requirements become too burdensome, car manufacturers, distributors and dealers will lose their incentive to offer boosters to customers which will result in reduced – and possibly less reliable - connectivity and access to CMRS.

¹⁰ See VWGoA Comments to Second FNPRM, pp. 1-5.

¹¹ *Id.* at p. 3.

¹² *Id.* at p. 4.

¹³ *Id.*

VI. CONCLUSION

For the foregoing reasons, PCNA respectfully requests that the Commission not impose additional registration requirements on car manufacturers, distributors or dealers and further simplify the registration requirements on users of embedded signal boosters in vehicles.

Respectfully Submitted,

PORSHE CARS NORTH AMERICA, INC.

by: /s/ William K. Coulter

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